

AMENDMENTS TO THE DRAWINGS

The attached replacement sheet of drawings includes changes to Figure 1A. This replacement sheet, which includes Figure 1A, replaces the original sheet including Figure 1A. In step 12 of Figure 1A, the spelling of the word “language” was corrected. The attached “Annotated Sheet Showing Changes” is annotated to show where this change was made.

2 Attachments: Replacement Sheet

Annotated Sheet Showing Changes

REMARKS

Claims 1-20 are pending. Claims 5-8 and 10-20 are amended herein. No new matter has been added.

35 U.S.C. §102 Rejections

Anticipation Requirements

According to MPEP 2131, “to anticipate a claim, the reference must teach every element of the claim.” Further, as cited in MPEP 2131, “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Additionally, according to MPEP 2131, “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Claims 1-4

Claims 1-4 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,826,746 by Evans et al. (hereinafter “Evans”). The Applicant has reviewed the cited reference and respectfully submits that the present invention is patentable over the Evans reference in view of the following rationale.

Applicant respectfully submits that the present rejection has failed to establish a prima facie case for anticipation of Claim 1. As indicated above, to anticipate a claim, the reference must teach every element of the claim ...and the elements must be arranged as required by the claim. The Applicant respectfully points out that the relied upon art does not teach elements of independent Claim 1 as they are arranged in the claim. Instead, the present rejection picks and chooses information from a variety of locations and embodiments/examples within the Evans reference in an attempt to assemble the elements of the invention as claimed. Claim 1 is directed to a method. Yet, in an attempt to establish anticipation of the elements of the method of independent Claim 1, the present rejection parses teachings from an arrangement of components,

processes, and embodiments. For example, the present rejection parses a teaching regarding a component (Fig 1, JVM 16, and col. 5, lines 7-12) to teach one element of the method, teachings from the background and related art (col. 1, lines 1-7 and col. 2, lines 15-22) to teach another element, and teachings from the related art (col. 2, lines 33-47) combined with teachings of Figure 6 (event handlers 61-67) to teach a third element of the method. These teachings are not part of a method recited by the Evans reference, and do not appear as arranged in Claim 1.

Applicant submits that such parsing of the Evans reference does not satisfy the prima facie showing required for establishing anticipation since, by relying on such parsing, the present rejection fails to comply with the requirement of *In re Bond*, cited above, that “[t]he elements must be arranged as required by the claim”.

Therefore, Applicant submits that independent claim 1 is not anticipated by the Evans reference as the present rejection fails to establish a prima facie case for anticipation of Claim 1. As such, Applicant submits that independent Claim 1 is in condition for allowance. Dependant Claims 2-4 depend from Claim 1 which is allowable over the Evans reference. Hence, it is respectfully submitted that dependent Claims 2-4 are patentable over the Evans reference for the reasons discussed above, and are in condition for allowance by virtue of their dependence upon an allowable base claim.

Claims 5-8

Claims 5-8 are rejected under 35 U.S.C. §102(e) as being anticipated by Evans. The Applicant has reviewed the cited reference and respectfully submits that the present invention is patentable over the Evans reference in view of the following rationale.

Applicant respectfully submits that the present rejection has failed to establish a prima facie case for anticipation of Claim 5. As indicated above, to anticipate a claim, the reference must teach every element of the claim ...and the elements must be arranged as required by the claim. The Applicant respectfully points out that the relied upon art does not teach elements of independent Claim 5 as they are arranged in the claim. Instead, as with the rejection of Claim 1, the present rejection picks and chooses information from a variety of locations and

embodiments/examples within the Evans reference in an attempt to assemble the elements of the invention as recited in Claim 5.

Applicant submits that such parsing of the Evans reference does not satisfy the prima facie showing required for establishing anticipation since, by relying on such parsing, the present rejection fails to comply with the requirement of *In re Bond*, cited above, that “[t]he elements must be arranged as required by the claim”.

Therefore, Applicant submits that independent claim 5 is not anticipated by the Evans reference as the present rejection fails to establish a prima facie case for anticipation of Claim 5. As such, Applicant submits that independent Claim 5 is in condition for allowance. Dependant Claims 6-8 depend from Claim 5 which is allowable over the Evans reference. Hence, it is respectfully submitted that dependent Claims 6-8 are patentable over the Evans reference for the reasons discussed above, and are in condition for allowance by virtue of their dependence upon an allowable base claim.

Claims 9-20

Claims 9-20 are rejected under 35 U.S.C. §102(e) as being anticipated by Evans. The Applicant has reviewed the cited reference and respectfully submits that the present invention is patentable over the Evans reference in view of the following rationale.

Applicant respectfully submits that the present rejection has failed to establish a prima facie case for anticipation of Claim 9. As indicated above, to anticipate a claim, the reference must teach every element of the claim ...and the elements must be arranged as required by the claim. The Applicant respectfully points out that the relied upon art does not teach elements of independent Claim 9 as they are arranged in the claim. Instead, as with Claims 1 and 5, the present rejection picks and chooses information from a variety of locations and embodiments/examples within the Evans reference in an attempt to assemble the elements of the invention as recited in Claim 9.

Applicant submits that such parsing of the Evans reference does not satisfy the prima facie showing required for establishing anticipation of Claim 9 since, by relying on such parsing, the present rejection fails to comply with the requirement of *In re Bond*, cited above, that “[t]he elements must be arranged as required by the claim”.

Therefore, Applicant submits that independent claim 9 is not anticipated by the Evans reference as the present rejection fails to establish a prima facie case for anticipation of Claim 9. As such, Applicant submits that independent Claim 9 is in condition for allowance. Dependant Claims 10-20 depend from Claim 9 which is allowable over the Evans reference. Hence, it is respectfully submitted that dependent Claims 10-20 are patentable over the Evans reference for the reasons discussed above, and are in condition for allowance by virtue of their dependence upon an allowable base claim.

CONCLUSION

It is respectfully submitted that the above amendments and remarks overcome all rejections.

The Examiner is invited to contact the Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Dated: _____

11/31/07



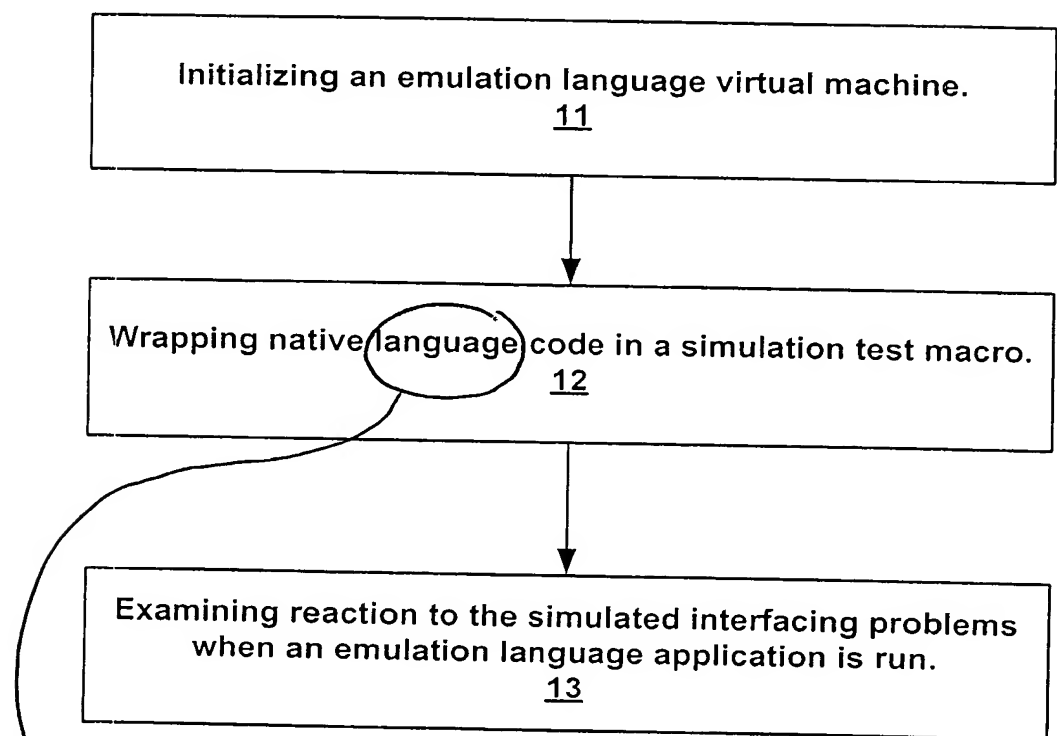
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The original spelling of this word was "languge", the replacement sheet corrects this in formality.

FIG. 1A